Remarks

Claims 1-5, 8-15, 18-28, 31-33, and 55-69 are currently pending, of which claims 1, 55, and 68 are in independent form.

Claims 1, 10, 55, 56, 58-60, 66, and 67 have been amended. New claims 68 and 69 have been added.

No new matter has been introduced. Favorable reconsideration of the present application as currently constituted is respectfully requested.

Regarding the Claim of Priority

Applicant appreciates the Examiner's comments in the pending Office Action regarding the alleged effective filing data for the subject matter in the pending claims. Applicant hereby reserves the right to any and all priority claim(s) to which it is entitled with respect to the present patent application.

Regarding the Claim Rejections - 35 U.S.C. §103(a)

Part I

In the pending Office Action, claims 1-5, 8-15, 18-24, 31, 32, 55-62, and 66-67 stand rejected under 35 U.S.C. §103(a) as being unpatentable over AirMobile Communication Server Guide ("AirMobile Software for Lotus cc:Mail Wireless," Motorola Publication, 1995, hereinafter "*AirMobile Server*") and AirMobile Communication Client Guide ("AirMobile Software for Lotus cc:Mail Wireless," Motorola

Publication, 1995, hereinafter "*AirMobile Client*") in view of United States Patent No. 6,185,551 to Birrell et al. (hereinafter "*Birrell*"). In connection with these §103(a) rejections, the Examiner has commented as follows with respect to base claim 1:

> In considering claim 1, AirMobile discloses the claimed redirection method including detecting a new data item for the user at the messaging host system (cc:Mail Post Office server, Fig. 1), following a copy of the data item to a redirector host system (AirMobile Wireless for cc:Mail Server, Fig. 1), configuring a set of filtering rules for use by the redirector host system in determining whether the new data item should be redirected to the user's mobile device (AirMobile pgs 10-11 or pg 26); providing an interface that enables the user to remotely configure and reconfigure the filtering rules (AirMobile Client pg 41), and that also enables the user to remotely activate and deactivate the redirector host system for the user (AirMobile Client pg 17); if the new data item passes through the user-configured filtering rules and the redirect host system is activated, then packaging the data item in a electronic envelope and transmitting the electronic envelope to the user's mobile device (pp. 10-11, describing the messaging system and the filtering of messages at the redirector host system, see also pp. 25-26, 35).
>
> The AirMobile server and client guides disclosed the invention substantially as claimed however, neither the AirMobile server guide nor the AirMobile client guide disclosed that the configuration interface is a web page interface. Nonetheless, it was widely known in the art at the time of the invention to configure programs remotely via a web interface, as evidenced by Birrell. In an analogous electronic messaging system, Birrell disclosed an email system executed on a server or group of servers (Col 4, lines 6-14). Users of the email system access all aspects of the system remotely through a web page interface (Col 13, lines 26-31), including the configuration of electronic mail filters (Col 11, lines 45-53). Birrell further disclosed that such a web based interface system is advantageous since users can connect to the system and perform any mail service from any web-

> connected client computer, thereby allowing users of the service to be mobile by moving among different clients at will (Col 4, lines 21-42). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the web based interface system as disclosed by Birrell within the AirMobile system, so that users are able to connect to the system and perform any mail service from any web-connected client computer, thereby allowing users of the services to be mobile by moving among different clients at will.

Additionally, the same rationale has been provided in the pending Office Action with respect to the §103(a) rejection of base claim 55.

Applicant respectfully submits that the foregoing claim rejections have been overcome and otherwise rendered moot by way of the present amendment. Base claim 1 is directed to a method of redirecting data items from a messaging host system to a user's mobile device wherein a redirector host system is operable within the context of an Internet-based mail system. As currently recited, the redirector host system is operable to push a copy of a data item received from the messaging host system responsive to an automatically generated notification relating to the data item. Substantially identical features are also recited in the currently-amended base claim 55 as well as the new base claim 68.

In contrast, the *AirMobile Server* reference and its companion the *AirMobile Client* reference, are directed to a "server push" architecture for effectuating mobile email service over a wireless network. In particular, the *AirMobile* references disclose an email

forwarding scheme over a wireless network wherein two types of messaging delivery models are described: (i) a "client poll" model and (ii) a "server push" model. See page 30 of the *AirMobile Client* reference, under subsection heading "Messaging Models". The "client poll" model involves polling from the user's standpoint, i.e., the user needs to poll the host system by sending a request on a periodic basis to effectuate delivery of email messages from the host system to the user's device. The so-called "server push" model, on the other hand, does not require the user to initiate contact with the host system to retrieve email messages. The *AirMobile Client* reference describes the "server push" model as excerpted below:

> With Motorola Air*Mobile*, messages are "pushed" out to your portable PC from the server over the wireless network; you do not have to constantly call in to check for messages. This implementation of "server push" eliminates unnecessary communication between the client and server, minimizing communication costs and artificial delivery delays.
>
> When you send a message while Motorola Air*Mobile* is running, the message will be immediately processed from your outbox, assuming it passes your upload filters, and be delivered to your LAN-based cc:Mail server for ultimate delivery.
>
> When a message arrives for you in your LAN-based cc:Mail inbox, Motorola Air*Mobile* software will immediately download the messages to your laptop, assuming it passes your download filters, placing it in your cc:Mail Mobile inbox. See page 31 of the *AirMobile Client* reference, at paragraphs 1-3.

Applicant maintains that although the *AirMobile Client* reference appears to define the "server push" model as one that does not involve polling from the standpoint of a user, the *AirMobile* system is in fact a polling-based system. Specifically, the *AirMobile Server* reference provides that AirMobile (AM) server software is ***required to poll*** a user's inbox at the mail server at a predetermined scheduler cycle period. See page 23 of the *AirMobile Server* reference, at paragraph 1. Additionally, the AM server software is also required to poll the mail server at a predetermined inter-user time-out period. See page 23 of the *AirMobile Server* reference, at paragraph 2. Accordingly, it should be appreciated that the email forwarding scheme disclosed in the *AirMobile Server* and *Client* references is a polling-based system that requires polling by the AM server software, although it is hidden from the user's perspective.

Applicant respectfully submits that wireless email scheme disclosed in the *AirMobile Server* and *Client* references does not teach or suggest the claimed "push" system and method in the context of an Internet-based email system wherein a redirector host system is not required to poll or otherwise generate a request to another entity such as a mail server executing on the computer system (i.e., cc:Mail Post Office server, see FIG. 1-1 of *AirMobile* references) for facilitating redirection of received data items. To the extent the pending Office Action appears to equate the

claimed messaging host system and redirector host system with *AirMobile* system's cc:Mail Post Office Server and AM server software, respectively, the application of *AirMobile* references as a primary reference necessarily fails because the *AirMobile* system involves what is effectively a "server poll" scheme that is diametrically opposite to the claimed push scheme involving automatically generated notifications which obviate the need for polling.

The critical deficiencies of the *AirMobile* references are not cured when *Birrell* is combined as a secondary reference for purposes of maintaining a §103 rejection. *Birrell* appears to disclose a web-based email service executed on a server or group of servers (column 4, lines 6-14). A web page interface appears to facilitate remote interaction by users to perform certain tasks. See column 13, lines 26-31; see also column 11, lines 45-53. However, the combined teachings of the *AirMobile* and *Birrell* references do not teach or suggest all the claim limitations, as required under MPEP §2143. In particular, the combined references fail to disclose or suggest, *inter alia*, the feature of a redirector host system operating to push a data item or its copy responsive to an automatically generated notification as discussed above in detail.

At least for the foregoing reasons, it is believed that the pending base claims 1 and 55 are allowable over the applied art.

Further, dependent claims 2-5, 8-15, 18-24, 31, and 32 depending from base claim 1 and dependent claims 56-62, 66, and 67 depending from base claim 55 are also believed to be in condition for allowance based on the same analysis.

Part II

Claims 25-28 and 63-65 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *AirMobile* and *Birrell* references in view of United States Patent No. 6,061,718 to Nelson (hereinafter "*Nelson*"). Further, claim 33 is rejected under 35 U.S.C. §103(a) as being unpatentable over *AirMobile* and *Birrell* references in view of the LookSmart article in Business Wire, January 1996.

Applicant respectfully submits that claims 25-28 depend from base claim 1 and introduce additional limitations therein. Likewise, claims 63-65 depend from base claim 55 and introduce additional limitations therein. As argued in the foregoing section, the currently-amended base claims 1 and 55 overcome the combination of *AirMobile* and *Birrell* references. Application of *Nelson*, which is directed to an email delivery system in a wireless communications environment, is of no avail to the extent that it does not address the critical deficiencies of the *AirMobile* and *Birrell* references. Accordingly, dependent claims 25-28 as well as 63-65 are also in condition for allowance.

Similarly, claim 33 also depends from base claim 1 and introduces additional limitations therein. The LookSmart article is of no avail when applied in combination with the *AirMobile* and *Birrell* references inasmuch as it fails to address the deficiencies therein and, accordingly, claim 33 is believed to be in condition for allowance over the applied art.

Regarding the New Claims

New claims 68 and 69 are directed to additional aspects of the subject matter to which Applicant is entitled. New base claim 68 recites the feature of pushing a data item to a user's mobile device responsive to an automatically generated notification relating to the data item, wherein the data item is received from a messaging host system disposed in a wide-area packet network. As discussed previously, the art of the record does not appear to teach or suggest this limitation. Accordingly, new claims 68 and 69 are believed to be in condition for allowance.

Fee Statement

Compared to the highest number previously paid for, the number of independent claims as well as the total number of claims have not been increased. Accordingly, it is believed that no additional claim fees are due. Applicant is filling herewith a Petition for a Three-Month Extension of Time. Form PTO-2038 is enclosed herewith authorizing payment of $1,020.00 for a three-month extension of time as well as payment of $790.00 as the RCE Filing Fee with respect to the accompanying RCE. Applicant believes no additional fees are due for the filing of this response. If any additional fees are due or any overpayments have been made, however, please charge or credit our deposit account (Deposit Account No. 03-1130).

Conclusion

In view of the forgoing, the Examiner is respectfully requested to allow claims presented for consideration herein. Accordingly, a favorable action in the form of an early notice of allowance is respectfully requested. The Examiner is requested to call the undersigned for any reason that would advance the instant application to issue.

Dated this 30th day of May, 2006.

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